

April 22, 2008

Mayor Will Wynn and Fellow Austin City Council Members  
City Hall  
301 West 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor  
Austin, Texas 78701


Re: May 8<sup>th</sup>, 2008 City Council Agenda Item  
C14-2008-0045 – Catholic Diocese of Austin  
Zoning Request – St. Dominic Savio Catholic High School  
45.20 Acres Located at 9400 Neenah Avenue

Dear Mr. Wynn:

As representative for the Catholic Diocese of Austin, owner of the above stated property, we respectfully request a postponement of the scheduled public hearing to the May 15<sup>th</sup>, 2008 City Council agenda date. This is the applicant's first request for postponement. The postponement will allow the Catholic Diocese of Austin time to meet with the adjacent Avery Ranch Homeowner's Association and answer any questions or concerns they may have regarding the proposed project. Thank you for your consideration for our request.

If you have any questions regarding this letter, please contact me at 512.392.6900.

Sincerely,

  
David Kneuper, P.E.  
Project Engineer

cc: C.J. "Dutch" Kellerman – North Central Catholic School Corporation  
Bill Waeltz – Baker-Aicklen & Associates, Inc.  
Tammi Migl – Baker-Aicklen & Associates, Inc.  
File

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## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0045

**Z.A.P. DATE:** April 1, 2008

**ADDRESS:** 9400 Neenah Avenue

**OWNER/APPLICANT:** Baker-Aicken & Associates (David Kneuper, P.E.)

**AGENT:** Catholic Diocese of Austin (Bishop Gregory M. Aymond)

**ZONING FROM:** Unzoned    **TO:** GO-CO    **AREA:** 45.20 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant the applicant's request for GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day, would permit 'NO' district uses and civic uses, and would prohibit access to Bromsgrove, except for pedestrian, bicycle and emergency access.\*

In addition, if the requested zoning is granted for this site, then 57 feet of right-of-way from the future centerline should be dedicated to the City through a street deed document for Neenah Avenue according to the Transportation Plan.

**\* After the Zoning and Platting Commission hearing, the Transportation staff requested that the following condition be added to the staff's recommendation in this case:**

**“Recommendation: Provide a bicycle-pedestrian path that connects to the abutting subdivision to the north (Avery South Section Two, Phase Six). The bicycle-pedestrian path shall meet accessible route criteria (ANSI 403.3-403.5, Table 403.5) and shall be approved by Watershed Protection and Development Review and Department of Public Works.”**

The staff will address this condition at the first reading of this case at City Council because this item was not part of the Zoning and Platting Commission's recommendation to the Council.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

4/01/08: Approved the staff's recommendation of GO-CO district zoning, with an additional condition that the site plan will come back to the Zoning and Platting Commission for approval (This condition would make Private Secondary Educational Facility a conditional use on the site, thereby, requiring a conditional use site plan on this property for this use to go before the Zoning and Platting Commission for approval.).

Vote: (6-0, T. Rabago, J. Martinez-absent); K. Jackson-1<sup>st</sup>, C. Hammond-2<sup>nd</sup>.

The staff has determined that the applicant had already filed a site plan for this property prior to the zoning public hearing (Site Plan Case: SP-2008-0095D). A “D” site plan was submitted to the City on March 26, 2008, because this property is currently located in the County within the City of Austin ETJ. Therefore, the Commission's requirement for a conditional use permit on this site would be null (and any compatibility requirements). However, the building will still need to come in for City review when it is annexed with the zoning case.

**DEPARTMENT COMMENTS:**

The property in question is currently undeveloped and heavily vegetated. The applicant is requesting annexation and zoning by the City of Austin to develop a private secondary educational facility (St. Dominic Savio Catholic High School) on the site. This tract of land is located adjacent to a religious assembly use (St. Vincent de Paul Catholic Church) and a private primary school use (Holy Family Catholic School - Lefner-Kellerman Campus) to the east.

The staff recommends the applicant's request for GO-CO zoning at this site because this site meets the intent of the 'GO' district as it will provide a use that serves community and city-wide needs. The proposed zoning will promote consistency and orderly planning because this site is located adjacent to existing GO-CO zoning to the west. The zoning of this tract of land will allow for the development of a secondary school adjacent to an existing primary school. These educational facilities will provide services to the surrounding residential areas to the south and west and to the planned single-family residential subdivision in the Avery Ranch PUD to the north.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	County - Unzoned	Undeveloped
<i>North</i>	PUD (Avery Ranch PUD)	Undeveloped (Platted Single-Family Lots)
<i>South</i>	County	Undeveloped
<i>East</i>	County	Undeveloped
<i>West</i>	SF-2, GO-CO, SF-2, MF-3, PUD	Religious Assembly (St. Vincent de Paul Catholic Church), Private Primary School (Holy Family Catholic School - Lefner-Kellerman Campus), Single-Family Residential, Water Protection Facility (Detention Pond),

**AREA STUDY:** N/A

**TIA:** Not required

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

485 – Riviera Springs Community Development Association  
604 – Davis Spring HOA  
985 – Davis Springs HOA

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-99-0042	SF-2 to GO	4/06/99: Approved staff rec. of GO-CO by consent (9-0), permit 'NO' uses and civic uses	5/06/99: Approved PC rec. of GO-CO (6-0); all 3 readings

C814-99-0001.05	To amend the PUD to rezone 14.694 acres of land from I-RR to PUD to be incorporated into Tracts III-G and III-H of the Avery Ranch Planned Unit Development (PUD) and to amend the Avery Ranch PUD Land Use Table to permit Village Center Residential (VCR) uses, Service Station use, Liquor Sales use (not to exceed 6,000 square feet and prohibiting Cocktail Lounge), and Mobile Home Residential use on Tract II-E of the PUD.	4/04/06: Approved staff's recommendation for PUD amendment by consent (7-0, T. Rabago, J. Pinnelli-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	5/18/06: Approved PUD amendment by consent(7-0); all 3 readings
C814-99-0001.04	PUD to PUD	9/06/05: Approved staff's recommendation of PUD zoning by consent (9-0)	
C814-99-0001.03	PUD to PUD	9/21/04: Approved staff's recommendation of PUD amendment by consent (7-0, K. Jackson-off dias, J. Gohil-absent)	5/12/05: Postponed indefinitely by the applicant (7-0)
C814-99-0001.02	PUD to PUD	1/28/03: Approved staff's recommendation of PUD zoning (6-0, J. Martinez, K. Jackson-off dias)	2/27/03: Granted PUD zoning as rec. by the ZAP Commission on 1 <sup>st</sup> reading (6-0, Goodman-off dias)  4/24/03: Approved PUD (6-0, Garcia-off dias); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C814-99-0001.01	PUD to PUD	6/18/02: Posponed to 7/16/02 by the applicant (8-0, A. Adams-absent)  7/16/02: Postponed to 7/30/02 by the staff for	10/10/02: Granted PUD on 1st reading (7-0)  1/30/03: Approved PUD amendment (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

		re-notification purposes (6-0, M. Casias/ D. Castaneda/ K. Jackson- absent)  7/30/02: Postponed to 9/10/02 by the applicant and neighborhood (6-0, V. Aldridge-absent)  9/10/02: Approved staff's recommendation for PUD zoning; by consent (6-0, D. Castaneda-absent)	
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**RELATED CASES:** N/A

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Neenah Avenue	90'	40'	Arterial (MAD0/4, AMATP)	1516 (COA, 08/07/07)

**CITY COUNCIL DATE:** May 8, 2008

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

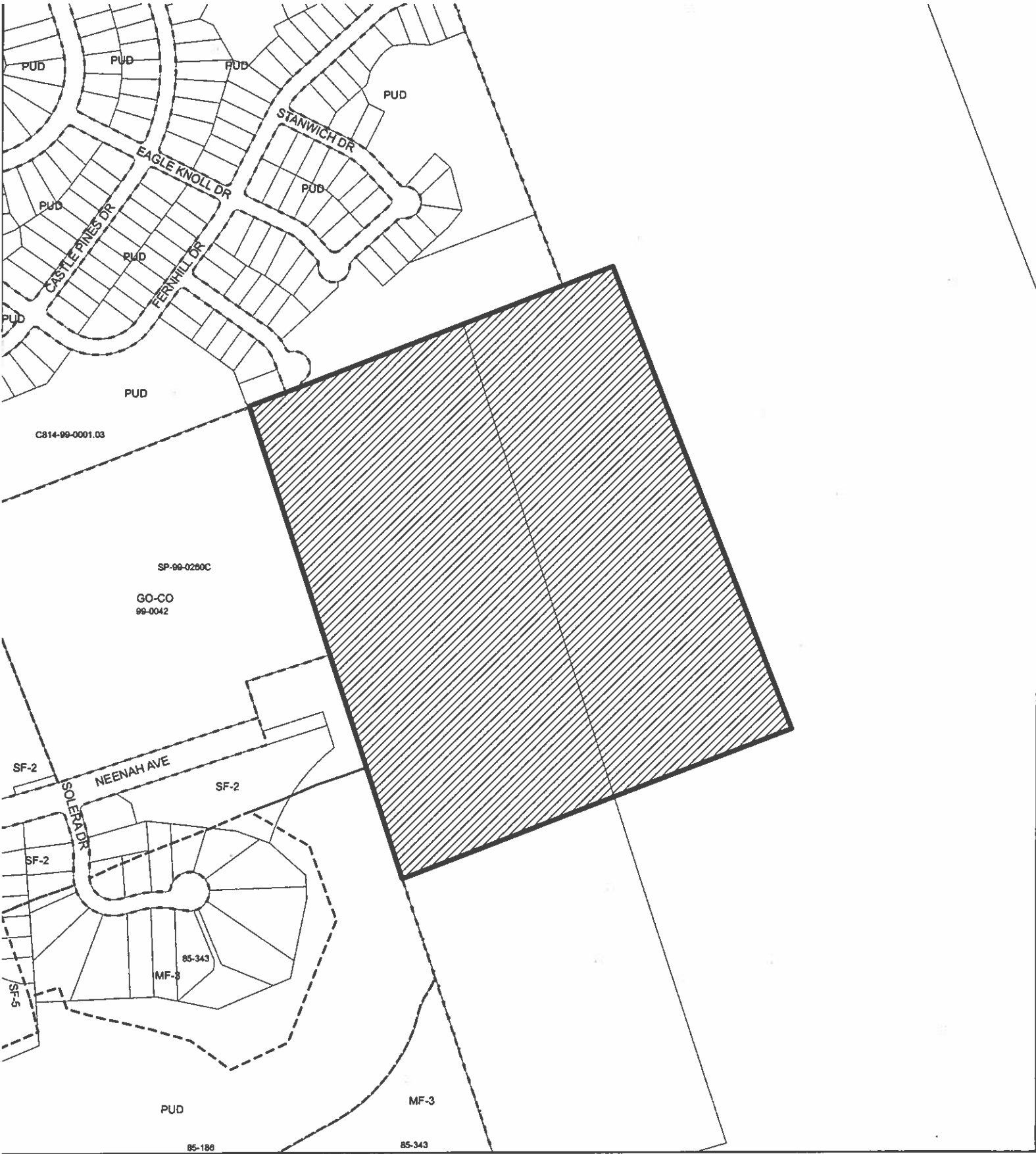
3<sup>rd</sup>

**ORDINANCE NUMBER:**




**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057

sherri.sirwaitis@ci.austin.tx.us



**ZONING**

-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

**ZONING CASE#:** C14-2008-0045  
**ADDRESS:** 9400 NEENAH AVE  
**SUBJECT AREA:** 45.20 ACRES  
**GRID:** H41  
**MANAGER:** S. SIRWAITIS

**OPERATOR:** S. MEEKS



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 400'

## **STAFF RECOMMENDATION**

The staff's recommendation is to grant the applicant's request for GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day, would permit 'NO' district uses and civic uses, and would prohibit access to Promsgrove.

In addition, if the requested zoning is granted for this site, then 57 feet of right-of-way from the future centerline should be dedicated to the City through a street deed document for Neenah Avenue according to the Transportation Plan.

## **BASIS FOR RECOMMENDATION**

1. *The proposed zoning is consistent with the purpose statement of the district sought.*

General office (GO) district is the designation for an office or commercial use that serves community and city-wide needs. A building in a GO district may contain one or more different uses.

The proposed GO-CO site will provide an educational facility that will serve the public. This new high school will be located directly adjacent to an existing primary school on an arterial roadway that is planned to continue through to the east.

2. *The proposed zoning promotes consistency and orderly planning.*

The proposed zoning is consistent with surrounding land use patterns as there is existing GO-CO zoning to the west of this site that is developed with an elementary school. The single family residential development to the southeast is separated from this tract by a detention facility. The proposed development of a school on this site will provide educational services to the surrounding residential areas to the southwest and to the planned single-family residential subdivision in the Avery Ranch PUD to the north.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is undeveloped and heavily vegetated. There are undeveloped tracts of land to the south and west. To the north there are undeveloped platted single-family lots within the Avery Ranch Planned Unit Development. To the east, the property is developed with a church and a private primary school, a detention facility, and singly-family residential uses.

### **Impervious Cover**

The maximum impervious cover allowed by the GO zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is located over the North Edward's Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% NSA with Transfers
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

### **Environmental**

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8: Endangered Species in conjunction with subdivision and/or site plan process.

### **Transportation**

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Neenah Avenue	90'	40'	Arterial (MAD0/4, AMATP)	1516 (COA, 08/07/07)

The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for Neenah Avenue. If the requested zoning is granted for this site, then 57 feet of right-of-way from the future centerline should be dedicated for Neenah Avenue according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55]



A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

There are existing sidewalks along Neenah Avenue.

Neenah Avenue is not classified in the Bicycle Plan.

Capital Metro bus service is not available within 1/4 mile of this property.

### **Water Quality**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Stormwater Detention**

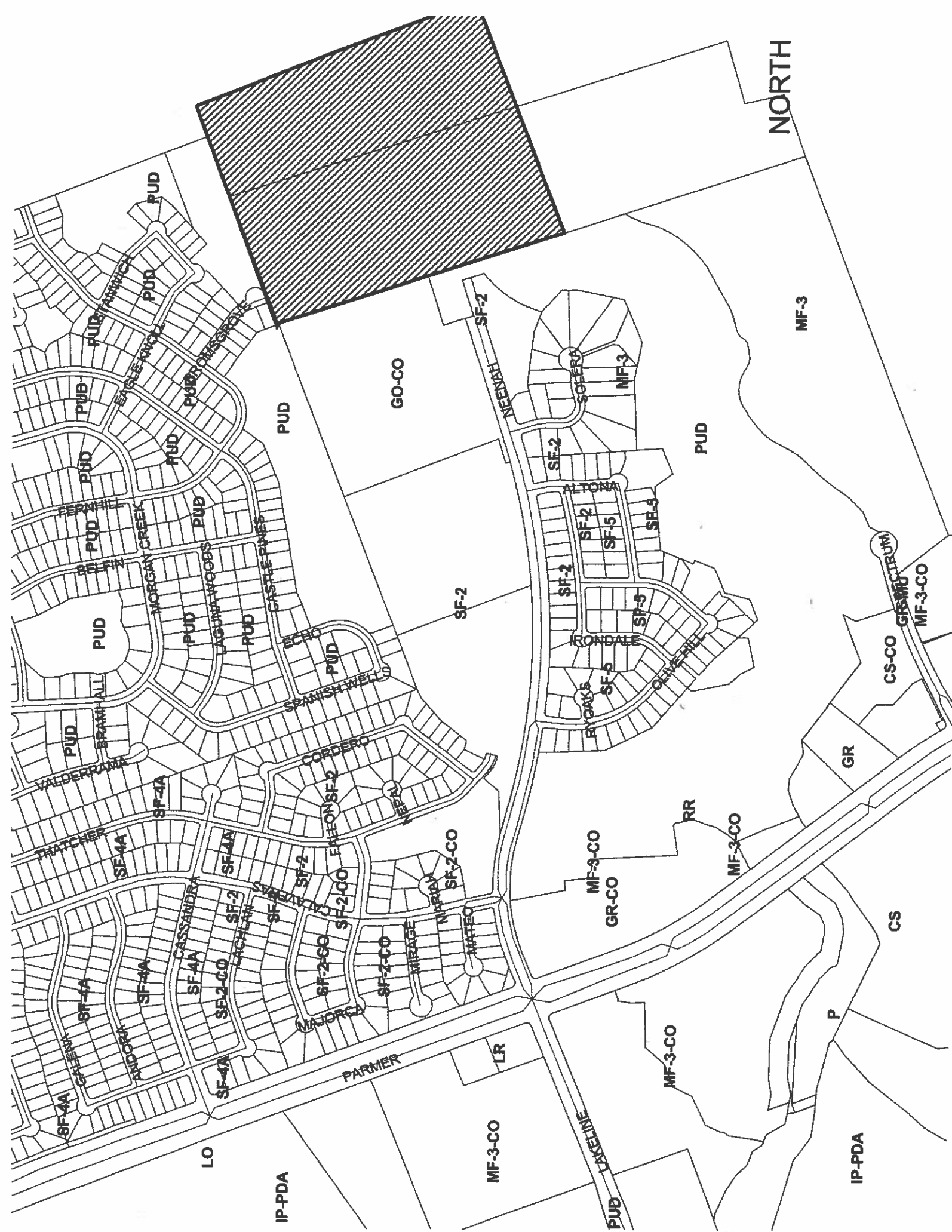
At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Compatibility Standards**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the north property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
  - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
  - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
  - No parking or driveways are allowed within 25 feet of the property line.
  - In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.









## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number: C14-2008-0045**

**Contact: Sherri Sirwaitis, (512) 974-3057**

**Public Hearing:**

April 1, 2008 Zoning and Platting Commission

☐ I am in favor  
☒ I object

Trish Ta

Your Name (please print)

15104 Fernhill Dr.

Your address(es) affected by this application

[Signature]

Signature

3/24/08

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0045

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

April 1, 2008 Zoning and Platting Commission

☐ I am in favor  
☒ I object

Joseph Cocconate

Your Name (please print)

9425 Eagle Knoll Drive Austin

Your address(es) affected by this application

Sherri Sirwaitis

Signature

3/26/08

Date

Comments:

Objection due to the noise levels where a  
school is not conducive to being so close  
close to a residential area. Had this plan  
been known, I would not have purchased this  
home as this lot was bought at a premium  
because of its tranquil location.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810